

MESSAGE NO: 9292206 MESSAGE DATE: 10/19/2009

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-100-222, C-435-222, C-471-222,
C-560-222, C-580-851, C-903-222

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2008 TO 08/10/2008

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR DYNAMIC RANDOM ACCESS
MEMORY SEMICONDUCTORS ("DRAMS") FROM KOREA (C-580-851); EXCEPT HYNIX

MESSAGE NO: 9292206

DATE: 10 19 2009

CATEGORY: CVD

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: C - 580 - 851

C - 560 - 222

C - 471 - 222

C - 100 - 222

C - 903 - 222

C - 435 - 222

PERIOD COVERED: 01 01 2008 TO 08 10 2008

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR DYNAMIC RANDOM
ACCESS MEMORY SEMICONDUCTORS ("DRAMS") FROM KOREA
(C-580-851); EXCEPT HYNIX

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE
REVIEWS OF COUNTERVAILING DUTY ORDERS. INSTEAD, REVIEWS MUST
BE REQUESTED PURSUANT TO SECTION 751(a)(1) OF THE TARIFF ACT OF
1930 AND IN ACCORDANCE WITH SECTION 351.213 COMMERCE'S
REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE
REVIEW OF THE COUNTERVAILING DUTY ORDER FOR THE PERIOD AND ON
THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRM NOTED.

THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

PRODUCT: DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS
COUNTRY: REPUBLIC OF KOREA
CASE NUMBER: C-580-851
PERIOD: 01/01/2008 - 08/10/2008:

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

HYNIX SEMICONDUCTOR, INC.
CASE NUMBER: C-580-851-001

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: C 580 851. FOR CBP PURPOSES, FOR ALL ASSEMBLED DRAMS FROM THIRD COUNTRIES THAT CONTAIN KOREAN DRAMS (UNASSEMBLED OR ASSEMBLED) AND FOR ALL MEMORY MODULES FROM THIRD COUNTRIES THAT CONTAIN KOREAN DRAMS (UNASSEMBLED OR ASSEMBLED), THE FOLLOWING COUNTRIES HAVE BEEN ASSIGNED THEIR OWN CASE NUMBER. THE FIRST THREE DIGITS REPRESENT THE COUNTRY IN QUESTION, THE NEXT THREE DIGITS WILL BE 222, AND THE LAST THREE DIGITS WILL BE THE SAME AS IN THE COMMERCE CASE FOR EACH RESPECTIVE MANUFACTURER. THE FIRST SIX DIGITS ARE GIVEN BELOW:

INDONESIA	C-560-222
PORTUGAL	C-471-222
USA	C-100-222
PUERTO RICO	C-903-222
CZECH REPUBLIC	C-435-222

AMENDED, DEPENDING ON CHANGES IN PATTERNS OF TRADE. IF IMPORT SPECIALISTS SHOULD BECOME AWARE OF SHIPMENTS WITHIN THE SCOPE OF THIS COUNTERVAILING DUTY ORDER FROM THIRD COUNTRIES NOT IN THE AD/CVD MODULE, THEY SHOULD NOTIFY THE DEPARTMENT OF COMMERCE ABOUT SUCH SHIPMENTS IN ACCORDANCE WITH PARAGRAPH 9.

5. THE DRAMS SUBJECT TO THIS ORDER ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 8542.21.8005, 8542.21.8020 THROUGH 8542.21.8030, AND 8542.32.0001 THROUGH 8542.32.0023 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). THE MEMORY MODULES CONTAINING DRAMS FROM KOREA, DESCRIBED ABOVE, ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 8473.30.1040, 8473.30.1080, 8473.30.1140, AND 8473.30.1180 OF THE HTSUS.

REMOVABLE MEMORY MODULES PLACED ON MOTHERBOARDS ARE CLASSIFIABLE UNDER SUBHEADINGS 8443.99.2500, 8443.99.2550, 8471.50.0085, 8471.50.0150, 8517.30.5000, 8517.50.1000, 8517.50.5000, 8517.50.9000, 8517.61.0000, 8517.62.0010, 8517.62.0050, 8517.69.0000, 8517.70.0000, 8517.90.3400, 8517.90.3600, 8517.90.3800, 8517.90.4400, 8542.21.8005, 8542.21.8020, 8542.21.8021, 8542.21.8022, 8542.21.8023, 8542.21.8024, 8542.21.8025, 8542.21.8026, 8542.21.8027, 8542.21.8028, 8542.21.8029, 8542.21.8030, 8542.31.0000, 8542.33.0000, 8542.39.0000, 8543.89.9300, AND 8543.89.9600 OF THE HTSUS. HOWEVER, THE PRODUCT DESCRIPTION, AND NOT THE HTSUS CLASSIFICATION, IS DISPOSITIVE OF WHETHER MERCHANDISE IMPORTED INTO THE UNITED STATES FALLS WITHIN THE SCOPE.

6. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEW. CONTINUE TO

SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRM AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

7. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 01/01/2008

THROUGH 08/10/2008 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 08/2009 ANNIVERSARY MONTH (74 FR 48224, 09/22/2009).

8. THE ASSESSMENT OF COUNTERVAILING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1: AR).

10. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party